

## 2.0 INTRODUCTION

This Draft Environmental Impact Report (DEIR) has been prepared to evaluate environmental impacts that will result from the development of four similar development options proposed on an approximately 101 acre property in the City of Burbank. The City of Burbank, designated as the Lead Agency, has the authority for preparation of the DEIR and, after the comment/response process, certification of the Final EIR (FEIR). The City of Burbank and relevant Responsible Agencies have the authority to make decisions on discretionary actions relating to the development of the proposed project. This EIR is intended to serve as an informational document to be considered by the City of Burbank and the Responsible Agencies during deliberations on the proposed project.

### 2.1 PROJECT DISCRETIONARY ACTIONS

Project implementation will require discretionary approvals from the Lead Agency, the City of Burbank, and four Responsible Agencies: City of Burbank Redevelopment Agency; Regional Water Quality Control Board (for NPDES Permit); Los Angeles County Flood Control District (for modification to Lockheed Channel); and, Caltrans (for landscape treatment within Caltrans right-of-way). Proposed project entitlements analyzed in this EIR are fully described in Chapter 3.0, Project Description, and are summarized as follows:

**C General Plan Amendment** - Currently, the B-1 and B-199 portions of the project site are designated as "Industrial" (General Manufacturing) in the Land Use Element of the General Plan. The proposed project is inconsistent with this designation, and an amendment to the General Plan is required to accommodate the proposed commercial, entertainment and office center. General Plan Amendment 97-2 has been filed by the project applicant, requesting redesignation of the project site to the land use category, "Commercial." Proposed allowable uses within the "Commercial" designation consist of professional office; entertainment; hotel; retail sales and related service uses; motion picture, film, and video studios; automobile sales and service; car washes; gasoline sales; home improvement center; family entertainment; and family recreational uses, as well as those retail uses outlined and permitted in the Burbank Municipal Code C-4 Commercial Unlimited Business Zone.

Permitted uses within the C-4 zone include commercial, retail, and services uses, such as equipment rental, feed store, machinery sales, mobile home dealer, plant nursery, recreational vehicle dealer, truck dealer, and welding service, in completely enclosed buildings. Other permitted uses include wholesale, warehouse, and distribution type uses, such as a wholesale bakery, wholesale fish market, wholesale fruit and vegetable market, warehouse, or other wholesale business. Additionally, other permitted uses include cold storage plant, contractor's storage yard, creamery, experimental or research laboratory, film laboratory, laboratory for physical or chemical testing, moving van and storage yard, newspaper printing, or rug cleaning plant.

- C **Zone Change (Planned Development No. 97-3)** - The B-1 and B-199 portions of the site and the parcels fronting on Victory Place are currently zoned M2 (Industrial). The parcels fronting on Victory Boulevard and Burbank Boulevard are zoned C-3 (Commercial General Business). The project proponent has requested that the City of Burbank rezone the project site from M2 and C-3 to a new zoning category, Planned Development (PD), allowing all the permitted uses in the C-4 “Commercial Unlimited Business” zone, including general and media industry office and studio facilities, hotel, retail sales and related service uses, automobile sales and service, car washes, gasoline sales, home improvement center, family entertainment, and family recreational uses. The PD zoning category is an option available to property owners, which allows for site planning flexibility where the proposed development is shown to be consistent with adopted goals, policies, and land uses specified in the City's General Plan Land Use Plan. The project applicant also requests modification of certain signage standards (allowing signs over 25 feet in height) and building heights over 35 feet, as well as conditional permits to allow alcoholic beverage sales, drive-through restaurants, and a car wash. These requests would typically require a conditional use permit, variance or administrative use permit in the absence of a Planned Development Application. Approval of Planned Development No. 97-3 by the City Council will require a finding that the proposed project is consistent with the City's Zoning Ordinance and General Plan.

**Planned Development Application** - A Planned Development approval is required by the project proponent to provide the land use regulatory framework for the project, as well as to illustrate the overall development concept and distribution of land uses within the proposed project.

**Development Agreement** - As required of the planned development process for implementation of this project, the project applicant, Zelman Retail Partners, Inc., will enter into a Development Agreement with the City. This Agreement will vest and protect the property owner's right to develop the subject property per the approved PD No. 97-3, subject to the conditions and development standards stipulated therein. The proposed Development Agreement will ensure that mitigation measures and conditions of approval are incorporated into the project. The term of this agreement will be by agreement of both parties. The boundary area for the Development Agreement will be the same as for the proposed PD No. 97-3. The provisions of the Development Agreement are further described in the Project Description, Chapter 3.0. This Development Agreement will require approval by the Burbank City Council.

- C **Parcel Map** - Parcel Map (No. 24941) will subdivide the properties into separate parcels for financing and development purposes. This subdivision will establish the legal perimeter boundaries of each parcel of land.
- C **Realignment of Victory Boulevard** - City property acquisition, abandonment of public street right-of-way and realignment of Victory Boulevard are required to relocate the intersection of Victory Boulevard and Burbank Boulevard.
- C **NPDES Permit** - Required prior to discharge of stormwater from the site.

Other actions contemplated for approval of the proposed project include ancillary ministerial permits and approvals such as grading permits, building permits, sign permits, lighting plan approvals, utility connection approvals, and street work permits issued by the City.

- C **Caltrans Landscaping** - Improvements to Caltrans right-of-way along the slope of the freeway (Victory Place frontage) is proposed.
- C **Lockheed Channel** - Modifications to the Lockheed Channel and covering of the channel on the B-199 site are part of the proposed project.

## **2.2 PURPOSE AND TYPE OF EIR/INTENDED USES OF EIR**

The purpose of this EIR is to inform decision makers and the general public of any significant adverse environmental effects associated with the proposed actions, and to identify appropriate feasible mitigation measures and alternatives that may be adopted to minimize or eliminate these effects. An evaluation of potential project alternatives is included in this EIR, including a No Project/Existing General Plan Alternative, a No Development/No Build Alternative, and six on-site alternative land use configurations.

This EIR has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code, Section 21000 et seq.), and the State Guidelines for Implementation of CEQA (California Code of Regulations, Title 14, Section 15000 et seq.). This EIR also complies with the procedures for implementation of CEQA as required by the City of Burbank CEQA Administrative Guidelines.

The approach of this "Project EIR" is described in Section 15161 of the State CEQA Guidelines. A "Project EIR" focuses primarily on the changes in the environment that would result from development of the proposed project. Therefore, this EIR will examine all phases of the project, including construction and operation of the project.

## **2.3 INITIAL STUDY AND NOTICE OF PREPARATION**

On October 10, 1997, a Notice of Preparation (NOP) was distributed by the City of Burbank for a proposed project that only included development of the approximately 101 acre Lockheed B-1 and B-199 sites with retail, office, and neighborhood community uses. The State of California Clearinghouse issued a project number for the EIR, SCH No. 97101035.

Subsequently, the proposal was redesigned to include a major traffic mitigation component as follows: 1) property boundaries have been redesigned to include additional parcels to accommodate realignment of Victory Boulevard; 2) the intersection of Victory Place, Victory Boulevard, and Burbank Boulevard has been redesigned to significantly improve traffic circulation; 3) an access driveway into the project site from Victory Place has been added north of the Burbank Boulevard and Victory Place intersection; and 4) the site plans for the proposed project have been modified for the parcels fronting Burbank Boulevard and Victory Boulevard. As mitigation for project and cumulative traffic impacts, Victory Boulevard is proposed to be realigned to eliminate the five point

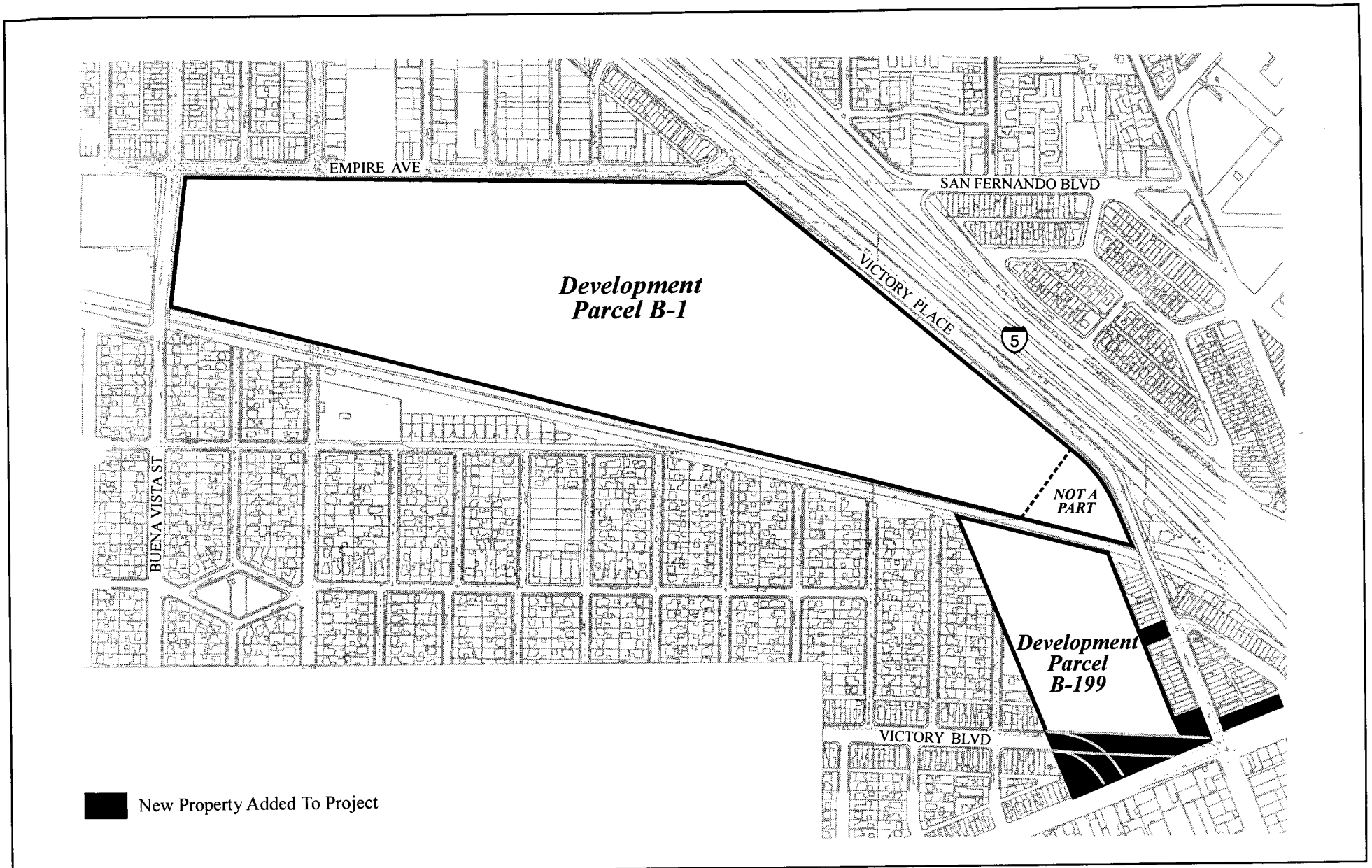
intersection at Victory Place, Burbank Boulevard, and Victory Boulevard, and is now included in the project description. Figure 2.3.1 shows the boundaries of the project included in the October 10, 1997, NOP, and indicates the properties added to the project and the reconfiguration of the five point intersection at Victory Boulevard and Burbank Boulevard.

Due to the redesign of the project, the City of Burbank distributed a Revised NOP for the Draft EIR (DEIR) dated May 22, 1998. The Revised NOP was circulated to inform public agencies and the public of the revised project, and to invite comments on the proposed scope and content of the environmental analysis to be included in the DEIR. The Revised NOP contained a preliminary description of the proposed development components and project location, as well as discussion of potential environmental effects/issues that the City anticipated would result from the proposed project. The Revised NOP also included a list of environmental effects of the proposed project determined not to be significant.

In accordance with CEQA Guidelines Section 15082, the Revised NOP was circulated to the agencies, groups, and individuals listed in Appendix A for a period of 30 days, during which comments were solicited pertaining to environmental issues/topics that the EIR should evaluate.

The project was again redesigned in early 1999, and the City of Burbank distributed a second revised NOP for the DEIR dated June 1, 1999. The June, 1999, NOP was circulated to inform public agencies and the public of the redesign of the project. Similar to the May NOP, the June, 1999, NOP contained a preliminary description of the project and the project location, as well as a discussion of potential environmental effects/issues that the City anticipated would result from the proposed project. The June, 1999, NOP also included a list of environmental effects of the proposed project determined not to be significant. The June, 1999, NOP was circulated to the same agencies, groups, and individuals listed in Appendix A for a period of 30 days.

Comments received on the October 10, 1997, NOP, the May 22, 1998, Revised NOP, and the June 1, 1999, NOP have been addressed, where appropriate, in topical sections of this document. Each of the NOPs and each NOP distribution list, together with comments resulting from distribution of these documents, are contained in Appendices A and B.



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Figure 2.3.1



Responses to the October 10, 1997, NOP were received from the following:

- C State Department of Transportation (Caltrans)
- C County Sanitation Districts of Los Angeles County
- C County of Los Angeles Department of Public Works
- C The Gas Company
- C Southern California Association of Governments (SCAG)
- C Los Angeles County Metropolitan Transportation Authority (LACMTA)
- C Southern California Regional Rail Authority (SCRRA)
- C State of California Governor's Office of Planning and Research
- C City of Glendale
- C Burbank Unified School District.

Responses to the May 22, 1998, NOP were received from the following:

- County Sanitation Districts of Los Angeles County
- SCAG

Responses to the June 1, 1999, Revised NOP were received from the following:

- City of Los Angeles, Department of Transportation
- State of California, The Resources Agency, Department of Fish and Game
- State of California, The Resources Agency, Department of Conservation
- South Coast Air Quality Management District
- The Gas Company
- State of California, Governor's Office of Planning and Research
- County Sanitation Districts of Los Angeles County
- Caltrans

The City of Burbank held an advertised public scoping session on November 6, 1997, to review the proposed Burbank Empire Center project and to solicit input from interested individuals regarding project issues that should be addressed in this EIR (see Appendix C for a copy of advertisement, notices of the scoping meeting, and the minutes of the meeting). Major issues and concerns raised at the scoping meeting included: 1) traffic and parking impacts from the proposed development on surrounding residential neighborhood streets; 2) preservation of the residential nature of adjoining neighborhoods; 3) cumulative traffic effects, especially on Buena Vista Street and at the intersection of Victory Place, Victory Boulevard and Burbank Boulevard; 4) land use compatibility between residential and commercial uses; and 5) noise effects on immediately adjacent residences and homes along Buena Vista Street, including construction noise, retail operations noise, and loading and unloading noise. Additional comment letters and a petition were received at the scoping meeting from the following (see Appendix D for the comment letters and petition):

- C Steve Starleaf
- C Tim Shordon
- C Joyce Shane
- C Jim Brown
- C Larry Lambert

## **2.4 EFFECTS FOUND NOT TO BE SIGNIFICANT, OR MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE**

As required by CEQA Guidelines, Section 15128, this EIR must identify effects of the proposed project determined to be insignificant. The Initial Study prepared by the City of Burbank (see Appendix A) determined that the following environmental effects of the proposed project will not be significant: slope failure, biological resources, and cultural/scientific resources. These effects are briefly discussed below.

### ***Slope Failure***

The project site, as with most areas of Southern California, is located in a seismically active environment. The primary seismic risk associated with the site is ground shaking that would result from a major earthquake along the Sierra Madre Fault near the City of La Crescenta or the Verdugo Fault, or other regional faults. The proposed project is located on generally level terrain in an area that has no known unstable geologic condition. However, liquefaction may occur on the site. Secondary hazards such as slope failure are not considered to be significant hazards in the project area due to the absence of natural or man-made slopes in this part of Burbank.

### ***Biological Resources***

The B-1 and B-199 portion of the project site has been cleared of all vegetation in the past, and is currently vacant and fully graded. The remainder of the project site contains parcels with existing structures, as well as minimal nonnative vegetation. No impacts on animal life are expected. The only plant species identified on the site are non-native species widely cultivated and available from retail nurseries. No rare, threatened or endangered California plant species will be eliminated nor will any sensitive habitat be eliminated. Therefore, there is no project related significant impact on any biological resource.

### ***Cultural/Scientific Resources***

Due to the hazardous materials remediation program at the site, the entire surface of the project site has been disturbed. A records search and field survey conducted by LSA in January, 1998, failed to identify any cultural or scientific resources within the project area. A letter report summarizing the records search and field survey is contained in Appendix E.

The only structures remaining on the project site are for the Vapor Extraction System (VES) vapor gathering pipes. These pipes are buried at a depth efficient to extract, collect, and remove residual soil contaminants on the site. Miscellaneous sub-basement or foundation fragments from demolished Lockheed structures may also occur.

Since the project site has been disturbed, finding archaeological or paleontological resources is unlikely, and monitoring is not recommended. In the event that cultural or scientific resources are discovered during ground disturbing activities, conformance to the

recommendations in the letter report will ensure adequate precautions are taken to protect loose, disassociated resources.

## **2.5 SIGNIFICANT AND UNAVOIDABLE IMPACTS**

Short-term regional air quality impacts resulting from construction activities.

Long-term regional air quality impacts resulting from operation of the proposed project.

The proposed project will have significant project related and cumulative a.m. peak hour impacts on the following freeway segments:

- C I-5 southbound from the Hollywood Freeway (SR-170) to Buena Vista Street;
- C SR-134 westbound from SR-2 to I-5;

and significant project related and cumulative afternoon peak hour impacts on the following freeway segments:

- C I-5 northbound from the Ventura Freeway (SR-134) to Burbank Boulevard and from Buena Vista Street to Osborne Street;
- C I-5 southbound from the Ventura Freeway to Colorado Boulevard; and
- C SR-134 eastbound from I-5 to SR-2.

Mitigation Measures 7.7, 7.8, and 7.9 may be completed after occupancy of the project, thereby causing a short-term or long-term significant impact to traffic congestion at the following intersections: No. 21 - San Fernando Boulevard and Buena Vista Street; No. 22 - Buena Vista Street at I-5 northbound ramps; and No. 23 - San Fernando Boulevard at Lincoln Avenue.

Cumulative significant impacts to regional solid waste facilities.

Cumulative significant impacts to the site, Empire Avenue and Victory Place, and downstream flood control facilities.

Cumulative significant impacts to school facilities.

## **2.6 FORMAT OF EIR**

### ***Chapter 1.0 - Executive Summary***

Chapter 1.0 contains the Executive Summary of the EIR document, listing all project impacts, mitigation measures that have been recommended to reduce any significant impacts of the proposed project, and the level of significance of each impact following mitigation. The summary is presented in a matrix (tabular) format.



### ***Chapter 2.0 - Introduction***

Chapter 2.0 contains a discussion of the required discretionary actions, purpose and intended use of the EIR, background on the Initial Study and Notice of Preparation, as well as significant and unavoidable impacts and the document's format. A summary discussion of effects found not to be significant is also included in this chapter.

### ***Chapter 3.0 - Project Description***

Chapter 3.0 includes discussions of the project's geographical setting, background information on the site's previous use as an industrial use, and the project's goals, objectives, characteristics, components and phasing.

### ***Chapter 4.0 - Existing Setting, Impacts and Mitigation Measures***

Chapter 4.0 includes an analysis of the project's environmental impacts. It is organized into topical sections, including Land Use, Public Services and Utilities, Geotechnical Conditions, Water Resources, Aesthetics, Traffic and Circulation, Population and Housing, Air Quality, Noise, Public Health and Safety, and Secondary Economic Effects.

The environmental setting discussions describe the "existing conditions" of the environment on the project site and in the vicinity of the site, as it pertains to the environmental issues being analyzed (Section 15125 of the CEQA Guidelines). The project impact discussions identify and focus on the significant environmental effects of the proposed project. The direct and indirect significant effects of the project on the environment are identified and described, giving due consideration to both the short-term and long-term effects as necessary (Section 15126.2[a] of the CEQA Guidelines).

Cumulative impacts are based on the build out of the project and the surrounding area, including all other known projects in the surrounding area.

The discussions of mitigation measures identify and describe feasible measures that could minimize or lessen significant adverse impacts for each significant environmental effect identified in the EIR (Section 15126[c] of the CEQA Guidelines). The level of significance after mitigation is reported in each section. Unavoidable adverse effects are identified where mitigation is not expected to reduce the effects to insignificant levels.

### ***Chapter 5.0 - Alternatives to the Proposed Project***

In accordance with CEQA, the alternatives discussion in Chapter 5.0 describes a reasonable range of alternatives that could feasibly attain the basic objectives of the project, and that are capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance. On-site alternatives analyzed in the Project Alternatives Section include: No Project, No Development/No Build, and six design alternatives.

### ***Chapter 6.0 - Long-Term Implications of the Project***

Chapter 6.0 includes CEQA mandated discussions of the relationship between local short-term uses of the environment, significant irreversible environmental changes that would result from implementation of the proposed project and growth inducing impacts of the proposed project.

### ***Chapter 7.0 - Inventory of Mitigation Measures***

Chapter 7.0 provides a listing of all proposed project mitigation measures.

### ***Chapter 8.0 - Inventory of Unavoidable Adverse Impacts***

Chapter 8.0 describes those significant adverse environmental impacts for which either no mitigation or only partial mitigation is feasible.

### ***Chapters 9.0, 10.0, and 11.0***

Chapters 9.0, 10.0, and 11.0 provide the organizations and persons contacted, the EIR preparers, and the references used in this EIR.